

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Fairfield Sentry Limited, et al.,

Debtors in Foreign Proceedings.

Fairfield Sentry Limited (In Liquidation),

Plaintiff

-against-

Theodoor GGC Amsterdam, et al.

Defendants.

This Notice of Motion to Dismiss is related to
the Following Adversary Proceeding:

10-03635

Chapter 15 Case

Case No. 10-13164 (BRL)

Jointly Administered

Adv. Pro. No. 10-03496 (BRL)

Administratively Consolidated

ORAL ARGUMENT REQUESTED

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendant Banque Lombard Odier & Cie SA's Motion to Dismiss, the Plaintiffs' Fifth Amended Complaint dated August 11, 2021, in the above-captioned action, set forth at Exhibit A hereto, and all prior pleadings and proceedings herein, Defendant Banque Lombard Odier & Cie SA ("Defendant") (sued as Lombard Odier Darier Hentsch & Cie) will move this Court for an order dismissing with prejudice the complaint filed by the Liquidators of Fairfield Sentry Limited and Fairfield Sigma Limited, pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure, made applicable here by Rule 7012 of the Federal Rules of Bankruptcy Procedure.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 7012(b) of the Federal Rules of Bankruptcy Procedure, Defendant does not consent to the entry of final orders or judgment by this Court.

Dated: October 28, 2021
New York, New York

Respectfully Submitted,

MAYER BROWN LLP

By: /s/ Mark G. Hanchet

Mark G. Hanchet

Kevin C. Kelly

1221 Avenue of the Americas

New York, New York 10020

Tel. No.: (212) 506-2500

Email: mhanchet@mayerbrown.com

Email: kkelly@mayerbrown.com

Marc R. Cohen

1999 K St NW

Washington, DC 20006

Tel. No.: (202) 263-5282

Email: mcohen@mayerbrown.com

ALLEGAERT BERGER & VOGEL LLP

By: /s/ John F. Zulack

John F. Zulack

Lauren J. Pincus

111 Broadway, 20th Floor

New York, New York 10006

Tel. No.: 212-571-0550

Email: jzulack@abv.com

Email: lpincus@abv.com

*Counsel for Defendant Banque Lombard Odier &
Cie SA*